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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/017,554	12/14/2001	Do-Jun Park	678-698(P9780)	8136
28249	7590	02/06/2006		EXAMINER
DILWORTH & BARRESE, LLP 333 EARLE OVINGTON BLVD. UNIONDALE, NY 11553			NGUYEN, BINH QUOC	
			ART UNIT	PAPER NUMBER
			2664	

DATE MAILED: 02/06/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

SF

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/017,554	PARK ET AL.	
	<b>Examiner</b> Binh Q. Nguyen	<b>Art Unit</b> 2664	

*-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --*

#### Period for Reply

**A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.**

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 11/23/2005.
- 2a) This action is **FINAL**.                            2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) 11-18 is/are allowed.
- 6) Claim(s) 1-4 is/are rejected.
- 7) Claim(s) 5-10 is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    - a) All    b) Some \* c) None of:
      1. Certified copies of the priority documents have been received.
      2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
      3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |  |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)              |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>12/19/2005</u> . | 6) <input type="checkbox"/> Other: _____.  |

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-4 are rejected under 35 U.S.C. 102(e) as being anticipated by *Arunachalam et al* the US Patent No: (US 6,631,122), hereinafter referred to as *Arunachalam*.

**Regarding claim 1;** *Arunachalam* teaches a method of providing a packet call service via an Internet Protocol (IP) based network in a wireless mobile communication system, comprising the steps of:

constructing a set of service primitive information including radio channel assignment information in accordance with at least one service class for the packet call service (*see Fig. 6, col. 8, lines 13-46*);

determining a service primitive combination according to a service class of a packet call based on the constructed service primitive information, if a packet call for at least one mobile terminal is generated (*see col. 8, lines 47-53*);

assigning a predetermined forward channel and a predetermined reverse channel (*see col. 6, lines 1-51, CDMA 2000 standard means including a predetermined forward channel and a predetermined reverse channel*) to the at least one mobile terminal the predetermined forward channel and a

predetermined reverse channel corresponding to the determined service primitive combination (*see col. 6, lines 1-12*); and

providing the at least one mobile terminal with the packet call service by using the assigned forward channel and assigned reverse channel (*see col. 5 line 36-to-col. 6, lines 51*).

**Regarding claim 2;** *Arunachalam* teaches the method of claim 1, wherein the service primitive combination is determined on the basis of service class information of the packet call received from the IP network (*see col. 8, lines 54-67*).

**Regarding claim 3;** *Arunachalam* teaches the method of claim 2, wherein the service class information of the packet call is input by a user of the at least one mobile terminal (*see col. 6, lines 1-12, and col. 11, lines 8-30*).

**Regarding claim 4;** *Arunachalam* teaches the method of claim 1, wherein the service primitive information includes radio channel assignment information for an interactive call (*see col. 5, lines 35-53*).

### ***Allowable Subject Matter***

3. **Claims 5-10** are objected to as being dependent upon a rejected base claim, but would be allowable if rewrite in independent form including all of the limitation of the base claim and any intervening claims.

4. **Claims 11-18** are allowable.

### ***Response to Arguments***

5. Applicant's arguments with respect to claims 1-4 have been considered but are moot in view of the new ground(s) of rejection. **Regarding claim 1**, Applicant argues; *Arunachalam* patent fails to set a function such as channel assignment information, handoff support, etc. Examiner contends *Arunachalam* discloses a function such as channel assignment information, handoff support (*see col. 11, line 55-to-col. 12, line 58*). Then service primitive information includes the type of call and available radio channels according to service classes as defined at least on page 9 of the present application.

Examiner contends *Arunachalam* discloses assigning a predetermined forward channel and a predetermined reverse channel (*see col. 6, lines 1-51, “CDMA 2000 standard which have taught by Qualcomm including a forward channel and reverse channel” means a predetermined forward channel and a predetermined reverse channel*) to the at least one mobile terminal the predetermined forward channel and a predetermined reverse channel corresponding to the determined service primitive combination (*see col. 6, lines 1-12*); and providing the at least one mobile terminal with the packet call service by using the assigned forward channel and assigned reverse channel (*see col. 5 line 36-to-col. 6, lines 51*).

### ***Conclusion***

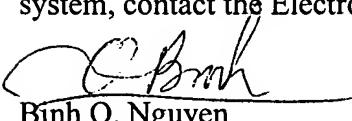
6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

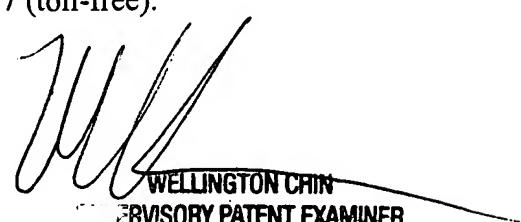
A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Binh Q. Nguyen whose telephone number is 571-272-8563. The examiner can normally be reached on M-F: 9:00 AM - 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wellington Chin can be reached on 571-272-3134. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Binh Q. Nguyen  
01/26/2006

  
WELLINGTON CHIN  
EXAMINER  
ADVISORY PATENT EXAMINER